

Floor Statement of Senator Frank Lautenberg: Is a \$60 billion spending cut ‘technical’?

Mr. President, I want to point out to my colleagues that this resolution is not the same resolution that was approved by the Budget Committee. In fact, it's dramatically different. It was changed after our markup to the tune of \$60 billion in lower spending in both fiscal years 2001 and 2002. This was done to avoid a point of order against the resolution. But it was not appropriate and I think it sets a terrible precedent for the Senate as a whole.

Mr. President, under the Budget Act, there is a point of order against any budget resolution that exceeds the discretionary spending caps. And it's very clear that this budget resolution is intended to break those caps. In fact it says so in Section 209, on page 41 of the resolution. Let me read directly from subsection (a):

“The functional totals with respect to discretionary spending set forth in this concurrent resolution, if implemented, would result in legislation which exceeds the limit on discretionary spending for fiscal year set out in section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985.”

That's a quote straight from the budget resolution itself, Mr. President. In effect, it says: we're breaking the caps.

And, in fact, when the Budget Committee approved this resolution, it did break the caps – just as it claimed it did.

But, Mr. President, a funny thing happened to this resolution between markup and the floor. As if by magic, the spending totals were changed dramatically, so that they no longer break the caps. These changes were made to Function 920 and left completely unspecified.

How much of a change are we talking about?

Well, when the committee approved the resolution, the total for Function 920 was \$4.4 billion in budget authority. In fact, if you look at the committee report – on page 38 and again on page 50 – that's exactly what it says: \$4.4 billion in budget authority.

That's what the Committee approved, Mr. President.

But now let's look at of the resolution before us, which is claimed to be the same resolution approved by the Budget Committee. On page 27, line 7 it says that the total for Function 920 is negative \$59.931 billion.

So in Fiscal Year 2001, the resolution includes \$59.931 billion in unspecified cuts. But the Budget Committee approved only \$4.4 billion in such cuts for Fiscal Year 2001.

If you look at Fiscal Year 2002, the same type of thing happened. The Committee approved a plan that had no budget authority for Function 920 in Fiscal Year 2002. Now we have a resolution before us that has \$59.729 billion in negative budget authority – unspecified cuts that appeared, seemingly out of thin air.

Mr. President, what's happening here?

Well, obviously, the majority is making huge cuts in order to claim that they're abiding by the discretionary spending caps. So that they can avoid a point of order and the need to get 60 votes.

Now, Mr. President, I am not criticizing the majority for exceeding the caps. But it's wrong to pretend that they're not breaking the caps. That's just not being honest with the Senate or the American people.

The fact is, under the Budget Act – which I negotiated with Senator Domenici in 1997 – it's supposed to take 60 votes to break the caps. That's the law. And, yes, it gives the minority, or at least a few members of the minority, a little bit of leverage. It means that the Republicans are supposed to seek some Democratic votes to approve their budget resolution.

But instead of playing by the rules, Mr. President, the majority today is flouting them. They're trying to have it both ways. Breaking the caps. But then pretending in the resolution that they're not breaking the caps. All to avoid giving the minority a say in this resolution.

That's not right.

But I also think it's wrong that we're here today considering a resolution that is not the resolution approved by the Budget Committee. It's a different resolution.

Mr. President, at the end of a budget markup, the staff is given the right to make technical changes. That's not unusual, and I have no objection to it.

But, Mr. President, cutting spending by \$60 billion a year is not a technical change. I know some people around here are used to sloughing off a few million dollars here and there. But \$60 billion a year?! Even in the Senate, that's a huge amount of money.

Mr. President, that doesn't just sidestep the rules. In my opinion, it goes over the line. All to deny the minority the right to participate meaningfully in this debate.

Mr. President, I'm going to have more to say later about the breakdown of the budget process, and abuse of minority rights. I personally believe that the exclusion of the minority throughout the budget resolution and reconciliation process is one reason why the whole budget process is such a mess. And it largely explains why we have these terrible train wrecks, and huge omnibus bills, at the end of each fiscal year.

But, be that as it may, this \$60 billion per year "technical change" is simply wrong. It's an abuse of the committee process. It's not fair to the minority. And, frankly, it just makes a mockery of the whole budget process.